G. R. S. App. F. IX-4]

1942 - 43.

File No. 182-42

Previous References.
Sra 458-40 (3-4)
" Do " (1-2)
" 358-39 (1-2)
C-B 25-39 (4, 5)
Later References.
G.F 46-29-1
CB 209-42-1

(S+A)

Serial Nos. 1-4

PRESERVED

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Two

Pres

Part B for 2 Feby 43

SUBJECT.

Representation of m/s P Rama-Krishna Rao Superintendent Medical Stores

Tl 4337 dt 8.2.43

To

m/s L. Ramakrishna & Co.

Madras

that Government see no ground to reconsider his order already passed in the matter of the grant of pension & gratuity

Serial No.

Representation from Mr L. Ramakrishna Rao, Surgeon (retired) requesting that the orders passed in his case, may be reconsidered.

17) Mr. L. Ramakrishna Rao, Surgeon (Re represents as follows :-

(a) That as regards the recovery of a sum of Rs 9020-1-0 from him, it does not appear just to let go the Stock-holder and other officials who were directly responsible for the irregularities in the Medical Stores;

(b) That he has not behaved lack of responsibility in respect of Govt. Property entrusted to him

(c) That justice has not been done to him in ordering his retirement on the basis of a single report of one Senior Surgeon;

(d) That all the leave at his cred may be sanctioned to him.

NOTE—Cont. Sheet.

WD 04155- GPB—55,000—23-10-41

Serial No.

The facts of the case are given in detail in the Subn. Note dated the 21st July 1939. "G"

Re: (a)

In support of his statement Mr Ramakrishna Rao refers to the following sentence in para 2 of G.O. No. 288-89/Cb. 25-39-1 dated 2-8-39 :- "G"

> "The shortage of quinine has been covered by making false entries in the books, casting wrong totals, charging quantities in excess of issue, charging twice for the same issue and by charging issue of quinine pills to quinine sulphate account."

The Audit office who audited the accounts, is of opinion that the loss was chiefly due to absence of an effective internal check and non-observance of procedure laid down for carrying on day to day work and laxity in supervision. The loss is directly attributable to the wholesale failure of successive Superintendents to follow them. According to the Medical Code the Supt.

Serial No.

'9'

Superintendent is solely responsible for the stock in the Stores. The Senior Surgeon in page 7 of his letter dated 4.5.1939, has remarked as follows :-

" Mr Ramakrishna Rao obviously expected mistakes to be brought to his notice instead of noticing them himself by frequent checking of registers including the receipts and issue registers". ..... seems to throw every responsibility on the stock-holder and considers himself as having done his duty correctly as the numerous irregularities were not brought to his notice".

Re : (b)

The Senior Surgeon's letter dated 4th May 1939 (Pages 6 and 7) explains this.

Re : (c)

The confidential reports of this officer are submitted for perusal and the following are the remarks made about the ability of this officer noted chronologically :-

1923 : Requires brisking up — Dr Hyderajanan

Knowledge rather stale

NOTE—Cont. Sheet.

WD 04155--GI'B—55,000—23-10-41

File No. of 194 . General and Revenue Secretariat

		Serial No.
1924 :	Requires post graduates training	Dr Hylavaphanam
1925 :	Has become rusty	Dr Md Usman
1926 :	He has grown indolent for want of brisk work and does not seek it either	Mr B. Nanjappa
1927 :	Appears to be very ordinary	Dr Usman.
1928 :	Shirks responsibility; takes his work easy; Does not seem to be capable of controlling the dispensary staff; Lazy.	Mr C. Narayana Rao.
1930 :	Mediocre type	" S. Subba Rao.
1936 :	An officer of mediocre ability; can run a small hospital.	—do—
1937 :	An officer of mediocre attainments. Has recently been posted to the Stores where his work will be watched. This is probably the most suitable post for him.	—do—
1938 :	Moderate ability	" B.K. Narayana Rao.

Serial No.

"N"

Said reference is also linked to discussions in C.B. file no. 25-39 (4+5) on a petition presented to Govt. through the Senior Surgeon in August 39, by Mr Ramakrishna Rao and the orders passed thereon stating that there was no reason to consider the orders.

Re:(a)

In March 1941 Mr. Ramakrishna Rao submitted a petition through the Senior Surgeon for the grant of leave to which he was entitled to prior to his retirement. In this connection the Financial Secy has noted as follows:-

"O"

"...This could have been granted at the time when retirement was ordered, but to sanction it now long after two years may not be practicable as permanent seniority arrangements might have been made and sanction of leave with allowances is also not desirable at this stage.

"If he has been granted leave, the maximum admissible at one

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

Representation of Mr L. Ramakrishna Rao, Surgeon (Retd)

File No. 738 of 194 . General and Revenue Secretariat

Serial No.

time is one year, and this would have added to his qualifying service. On this ground the consideration of the question of condonation of a deficiency of 6 months and 7 days may be justifiable, if Govt feel that this Concession is necessary and may be allowed"

"O"

vide discussions in S+A file no. 458-40 (1-2) put up. Accordingly a deficiency of 6 months and 7 days in his service requires to make up 24 years of service was condoned (Govt. No. Fe. 728-82/ S+A. 458-40-2 dated 25-4-41.)

The request of Mr Ramakrishna Rao is for orders.

Mr. Ramakrishna Rao had (from R 26/6/42) twice submitted representation on similar lines in 1939, and again in 1941. The Minister in charge of Finance thereon that there was no reason to reconsider the order already passed.

Govt Secy.

4) By the Government Order dated 2nd August 1939

N.

SECY. LAW DEPT. 20 JUNE 1942 GOVT OF MYSORE

Serial No.

(flag G) Mr. L. Ramakrishna Rao has been compulsorily retired from service. Mr. Ramakrishna Rao was in charge of the Medical Stores from 16.5.1937 till June 1939. In connection with the loss of about 1200 pounds of quinine sulphate in the Medical Stores, the explanations of the various officers who were responsible for this loss were taken. The cost of these 1200 pounds was assessed at Rs.20,071-8-0. The report of the Senior Surgeon with regard to the responsibility of the officers was received by the Government and the following officers were held liable for the loss on the ground of their negligence in not checking the stores properly though under the Medical Code they were personally responsible for the correct holding of the stocks:-

Messrs
1. S. Chokkam,
2. Hiranyaiya,
3. Srinivasa Mudaliar, and
4. Ramakrishna Rao.

5) In the opinion of the Comptroller, the loss was chiefly due to the absence of an effective and internal check, non-observance of the procedure laid down for carrying on the day-to-day work and laxity in supervision. The loss sustained by the Government is ordered to be made good by the abovesaid officers. So far as Mr. Ramakrishna Rao is concerned, he is made liable under this Government Order to pay Rs.9,020-1-0. Taking into consideration that he was too slack and inefficient

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

Serial No.

for the Department, he has also been compulsorily retired from service on such pension as he is entitled to without any reduction. The punishment given to Mr. Ramakrishna Rao under this Government Order is as follows:-

1. Retirement at the age of 51 when he had still four years of service. He was drawing a pay of Rs.425/- then.
2. He has been made to pay Rs.9,020-1-0.
3. This amount has been ordered to be recovered from the insurance bonus amount which matures in September 1943. This amount is about Rs.10,000/-.
4. Till then a moiety of his pension is held liable towards this amount.

Mr. Ramakrishna Rao pleads in his representation that the punishment given to him is too drastic and severe and that the stock-holder who was personally responsible for the correct stock and who had deposited Rs.5,000/- as cash security has been exonerated from any liability and that since the stock-holder was primarily responsible, a portion of the loss could have been made good by forfeiting the sum of Rs.5,000/- deposited by him. The stock-holder had been prosecuted in a Court of Law and on technical grounds, he has been acquitted. Mr. Ramakrishna Rao complains that the cumulative effect of the punishment deprives him of the insurance bonus

Their question is also considered by Government

Serial No.

and in addition to this, for four years he will have to contribute a moiety of his pension towards the sum due to the Government and that the premature retiremer itself is a sufficient punishment, whereas Mr. Hiranyaiya who has been made to pay Rs.4,000/- and odd towards the loss incurred by Government has been allowed to contir in service and to contribute from his pay towards the amount fixed against him. Mr. Hiranyaiya had five years of service at the time the above Government Orde was passed. Mr. Ramakrishna Rao gets about Rs.10,000/ and odd as insurance bonus and if the Government were to take away Rs.9,000/- and odd out of it, very little will be left to him. Though Mr. Ramakrishna Rao contends that he is not guilty of negligence, it is too late to consider that aspect of the case and the Government Order quoted above proves his negligence in the control of the stores; but he has been exonera from any fraud in the affair. If at all, the fraud must have been committed by the stock-holder and not by the officers. By his premature retirement, Mr. Ramakrishna Rao does not get the full pension he would have got if he had completed 25 years of service. Now he gets only 2/5ths of the salary as pension inste of 30/60ths of his salary. It is a point for orders if one year more can be added on to his service to enable him to draw his full pension taking into consid

This is a unwarranted concession. V.G.

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Serial No.

consideration the various punishments awarded to him. Mr. Ramakrishna Rao also states that he has not been given the full leave that he was entitled to at the time he was retired. He had probably about a year's leave. Atleast in consideration of the refusal of the leave that he was entitled to, the abovesaid concession of adding one year to his service may perhaps be considered.

Mr. Ramakrishna Rao relies on the Government Order dated 12/14th August 1929 (flag S) in which it is stated that if loss occurred through fraud every endeavour should be made to recover the whole amount lost from guilty persons and if laxity of supervision has facilitated the fraud the supervising officer at fault may properly be penalised either by directly requiring him to make good in money a sufficient proportion of the loss or indirectly by reduction or stoppage of his increments of pay. Mr. Ramakrishna Rao contends that he is not punished for fraud but for laxity of supervision and that the above Government Order is applicable to his case. He also depends upon the Government Order dated 27th February 1941 (flag E) wherein the Government in the Electrical Department have ordered that only 20 per cent of the loss should be recovered from one of the officers and 10 per cent from the Head Accountant. He contends

Serial No.

832

that a similar concession may be extended to him and that the sum to be recovered from him may be reduced and only a moiety recovered. One year may perhaps be added to his service to enable him to earn his full pension in view of the circumstances I have mentioned above. Already 6 months and 17 days have been added to his service (flag O). Since the punishment meted out to him is rather heavy, he deserves ~~some~~ the above consideration in view of his long service before the loss in the Stores occurred. Long before he went to the Stores Department the fraud was going on systematically.

The points for consideration are:-

1. Adding one year's service to enable him to draw full pension, and

2. Reduction of his liability.

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 8.7.1942
No. 800

I see no reason to demur

by 7.7.42

8) I do not consider him as the punishment meted out to the several officers responsible for the loss in the medical depot and Secretary. Mr Ramakrishna Rao cannot compare himself with the Stockholders whose services have been ordered to be dispensed with though he was acquitted by the court.

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

File No. 338/(2) of 194 .

General and Revenue Secretariat.

Serial No. 82

In such cases punishments should be exemplary. It is inexpedient to reopen this case, as the distance of time. I see no reason to revise the order already passed.

However the question of adding one more year for purposes of pension may be examined by the Fin. Secy.

H.H.
22.7.62

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 8-8-62
No. 1363

Mm
2/8/62

H.H.
8.8.62

MS 10-8-62

The Secy
W. C.

SECRETARIAT
U.O.No. Fl. 635
AUG.

From the particulars of service actually put in by the officer as gathered from the Comptroller's report on the pension application, it is seen that he has put in a total qualifying service of 23 years, 5 months and 23 days including Y.M.D. 0-2-3 furlough leave availed of by him. Government have been pleased to

F.T.C.

Serial No.

635/40

to condone a deficiency of 6 months and 7 days in service under Article 272, M.S.R. and sanctioned a pension of Rs. 153-7-0 admissible for a service of 24 years.

2) With reference to the suggestion of the Minister for L.S.G. regarding the addition of one more year for purposes of pension, it is submitted that the maximum period of deficiency that can be condoned under the rules (Article 272, M.S.R.) is 12 months and a period of 6 months and 7 days has already been allowed under this rule. A further period of one year cannot be added on under the rules.

3) If the officer had been granted the maximum amount of leave admissible under the rules, prior to his retirement, he could have been given leave up to one year - as noted in my note dated 9th April 1941 - and this would have automatically added to his service correspondingly. If the administrative Department is of opinion that in the special circumstances of the cas some further relief is deserved in respect of his pension, he may be granted an arbitrary pension equal to the amount which would have been admissible for 25 years' qualifying service.

A

CHIEF SECRETARY. 24 AUG. 1942 GOVT. OF MYSORE.

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date. 26.8.42 No. 1734

NOTE—Cont. Sheet

14) Munta L. S. G.

WD 04155—GPB—55,000—2310-41

25/8

1 may be done if

File No. of 194 .

General and Revenue Secretariat

Serial No.

The Minister for Fin. & Rev. has no objection

V.G.

26.8.42

Cus
26-8-42

Minister Rev & Fin

(a) May be done as a matter of grace

HLL 27-8

Dewan

(b) MM
29/8/42

Cus
29-8-42

Submitted with a circulation memo

Ra
29/8/42

Syms
29/8

OFFICE OF THE MINISTER FOR FINANCE & REVENUE
27 AUG. 1942
No. 1745

27 AUG.
1894

3382/CB (15)

For Disposal by Circulation. **No. C. 299**

.....of.....1942-43.

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Proposal to grant an arbitrary pension equal to the amount admissible for 25 years' qualifying service, to Mr. L. Ramakrishna Rao, Surgeon (Retired).

17) *Circulated to the Council of Ministers.*

By Order.

29/8

.....29th August 1942. *Chief Secretary to Government.*

Minister for Finance and Revenue. (Seen)

18)

1963/31.8 **Minister for Law.** 31/8

19)

1122/31.8 **Minister for Education.** 1.8.42

20)

1972/3/9 **Minister for Local Self-Government and Public Health.** (Seen)

Law ~~Govt~~ Secy w/cs

WD 06346—GPB—500—24-3-42

21)

D. F. N. Subasinha
Minister for L.S.G. & P.H.

P.T.O. Minister L.S.G. cws 3-9-42

3387 (S) of 1911

the amount to which he is entitled to may also be mentioned.

H.G.
3.9.42

23) Jnl Secy
W-C

The amount of arbitrary pension will work out to Rs.191-13-0 per mensem.
AD
5.9.42

Cus
4-9-42

U.U.S.O.I. 1059

Cus
7-9

Submitted

D.F.N. is added to and submitted for approval.

xmR
7.9.42
Secd.
Law Secy.)

OFFICE OF THE MINISTER
FOR L. S. G. & P. H.
Date 8.9.42
No. 2098

25) Submitted

Cus
8-9-42

Minister L-S.G.

26) 200 Copies of F.N. are sent up.
Sgn
15/9/42

27) F.N. is submitted

Cus
16-9-42

Dewan

FINAL NOTE BY THE MINISTER FOR LOCAL SELF-GOVERNMENT AND PUBLIC HEALTH.

17

Subject:—

Representation of Mr. L. Ramakrishna Rao, retired Surgeon.

---

28) In connection with the losses in the Medical Stores brought to light in the year 1938, Mr. L. Ramakrishna Rao, Surgeon was ordered, in the G.O.No.288-89/C.B.25-39-1 dated 2-8-1939, to be compulsorily retired from service, for the negligence of his duties as Superintendent of the Medical Stores, and in view of the Senior Surgeon's report that he was too slack and inefficient for the Department. He was also held responsible for a loss of Rs.9,020-1-0. In consideration of the qualifying service of 23 years, 5 months and 23 days he had rendered, Mr. Ramakrishna Rao was granted a Compassionate pension of Rs.147-1-0 per mensem. On Mr. Ramakrishna Rao's representation in March 1941, that, if he had been granted all the leave he had at his credit prior to his retirement, he would have got enhanced pension, a deficiency of 6 months and 7 days was condoned as a concession, to make up a qualifying service of 24 years and his pension was enhanced to Rs.153-7- per mensem.

Mr. Ramakrishna Rao represents now -

(1) that the punishment meted out to him is too drastic and severe and unjust;

(2) that it was not just to let go the stock-holder and other officials who were responsible for the irregularities and that the responsibility for the loss should be apportioned between him and other members of the staff; and

(3) that refusal to grant him the leave he had at his credit prior to his retirement is extremely unjust.

On perusal of the records, I consider that the punishment meted out to Mr. Ramakrishna Rao and other officials responsible for the

(F.N.—contn.)

loss in the Medical Stores are not severe and that the contentions made by Mr. Ramakrishna Rao in his representation are untenable. Punishment in such cases should be exemplary and on merits this case does not deserve any reconsideration. It is, however, proposed, as a matter of grace, to grant him an arbitrary pension of Rs.191-13-0 per mensem, equal to the amount which would have been admissible to him for 25 years' qualifying service.

Para 23 of rules.

The Dewan and other Ministers are agreeable to the proposal and I solicit His Highness' gracious sanction to the same.

Paras, 10, 16 & 18 to 20 of rules.

M I N I S T E R,
Local Self-Government & Public Health.

Bangalore,
Dated 15th September 1942.

Submitted to His Highness. 19

29) I submit herewith a Final Note by the Minister for Local Self-Government and Public Health on the subject of the proposal to grant an arbitrary pension of Rs.191-13-0 per mensem to Mr. L. Ramakrishna Rao, retired Surgeon, for His Highness's gracious approval.

N Madhava Rau

DEWAN.

Bangalore,
16th September 1942.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Proposal to grant an arbitrary pension of Rs.191-13-0 per mensem to Mr. L. Ramakrishna Rao, retired Surgeon.

No. 245

Order.

30)

22/9/42.

Chief Secy
Rec
23/9/42

General and Revenue

Secretariat.

2839 4

SUBJECT:—

31) Proposal to grant an arbitrary pension of Rs.191-13-0 per mensem to Mr. L.Ramakrishna Rao, retired Surgeon.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or ndications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules for the conduct of business of Council in the Mysore Government Business Rules.) (*)

Chief Secretary to Government.

Through the Secretary to Government,

.....L..a..W.....Department. 32) 25-9-42

2839/29.9.42 Minister for Finance and Revenue. 33) 30/9.

2659/26.9.42 Minister for Law. 34) 28/9

1583/25.9 Minister for Education. 35) 26-9-42

2499/25/9 Minister for Local Self-Govt. and Public Health. 36) 25.9.42

37) Joint Secy C/S C/S

2/10

NOTE.—Contn. sheet

WD 06360—GPB—500—23-3-42

H 1242
D 8-10-42 011

2v

General and Revenue Secretariat | File No. | of 194 . | [App. F. III-2

Serial No.

Submitted

38) An arbitrary pension of Rs 191-13-0 p.m. has been sanctioned to Mr L. Ramakrishna Rao Retd. Surgeon. Orders sanctioning this may perhaps issue from the Financial Branch.

39) Yes.

AD
3.10.42

JDJ
3/10/42

Kmk
3.10.42
40

40) The date from which the arbitrary pension to the officer is to be granted is for orders.

41) A draft G.O. is, however, put up for consideration.

Ks
6/10

42) The officer retired from 2.8.1939. The date from which the enhanced pension may have effect may be kindly specified in the G.O.

GPR
6/10/42

43) Offg As this is more in lieu of arbitrary pension one year's leave, max^m amount admissible prior to retirement, which would have added one year to his service if gratuity had been availed of, (Vide 7 Secy's minute in para 13) this may be allowed, I think, from the date of retirement.

7 Secy
JDJ
6/10/42

OFFICE OF THE MINISTER FOR FINANCE & REVENUE
7 OCT. 1942
No 3417

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 13.10.42
No 3042

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

46) To perusal Mr 20-10-42 45) 44) 7.10.42 JDJ 7/10

Mr 21.9 AD 21.10.42 8.10 AD GPR JDJ 8/10

1242/42

200 2/

File No. Arbitrary pension to Mr. K. Ramakrishna Rao Retd. Surveyor of 194 .

General and Revenue Secretariat

Serial No. 3161

1) This is not a case of revision of the pension originally granted, but is an arbitrary pension, a grant as a matter of grace. The ~~pension~~ concession granted has to take effect from the date/order as in the case of Mr. Deen Dayalsingh as his previous representations were turned down the present concession cannot be given with retrospective effect which means about 3 years.

Dewan)

H.C.
19.10.42

4) Dlll
19/10/42

H.C.
26.10.42

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 20-10-42
No. 3162

OFFICE OF THE MINISTER FOR FINANCE & REVENUE
26 OCT. 1942
No. 3699

Mr. J. & R)

AS
25.10.42

47) 28/10

For orders if the draft may issue giving effect to decision from date of His Highness's orders (22.9.42)

51) This is the usual Convention followed

30/10

30.10.42

Enhanced Pension to Mr L. Ramakrishna Rao

24

General and Revenue Secretariat

SJA File No. 1882 of 1942. [App. F. III-2

Serial No.

To

The Comptroller
The Senior Surgeon
No. H 2857-8 d 2-11-42

Sanctions the grant of an arbitrary pension of Rs 191-13-0 p.m. to Mr L. Ramakrishna Rao retired Civil Surgeon

From

Mr L. Ramakrishna Rao
Retired Surgeon
29th, 3rd Cross Road
Basavangudi

Petition dated 27-11-42.

Requests that the benefit of enhanced pension sanctioned to him in G.O d. 2-11-42 be given effect to from the date of his retirement from Service. Viz 2-8-1939.

53. Reference is respectfully invited to the discussions in paras 40 to 52.

54 Under the ordinary rules of Sanction, a G.O. takes effect from the date of Sanction unless an earlier date is specifically indicated

55 With reference to (A) in paragraph (3) of the representation now received, it is submitted that in some

NOTE—Cont. Sheet.

WD 04155—G/B—55,000—23-10-41

Cases, the benefit of enhancement has been given retrospectively from date of retirement but the matter is one for specific orders of Govt. on the merits of the case.

5B In this instance, Govt. may considered that in the circumstances of the case, retrospective effect from date of retirement need not be given (vide Ministers minute para 47). ~~Para 3 of the Report refers to certain circumstances~~

5? For orders

8/12

[illegible]

5? Yes.

Law Secy 9/12

9/12

GEOY. LAW DEPT. GOVT OF MYSORE

Representation of Mr. A. Ramakrishna Rao, Rtd. Engineer

60 Resubmitted for orders.

61 Kind reference is invited to the order passed in the Minister's Minute dated 19.10.42 in para 47 of the Notes.

SECY. LAW DEPT. GOVT OF MYSORE

KmR
15/12/42

62 The matter has been considered & decided that retrospective effect cannot be given

Mus R.S.G. 15.12.42

63

12.12.42

Dir Secy 17-12-42

W.C.

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 16.12.1942 No 4761

64

(17.12.42 JDJ)

Mr 7+8

65 21.12

22/12

66 23.12.42

Dewans

67 What was the amount of leave that he was denied?

27/12/42

68 Submitted with a draft letter to the Comptr calling for the information. A/cs 28-12-42

Kindly sign the letter is also placed below for kind signature.

31/12/42

SECY. LAW DEPT. GOVT OF MYSORE

OFFICE OF THE MINISTER F... & REVENUE 21 DEC 1942 No 4816

4859

Representation of Mr. S. Ramakrishnaiah, Retd Surgeon.

Continuation Sheet. File No. Current No. 338 a / 218 a of 1948 Page.

71.

(Z)

The letter received from the complr is placed below. Mr. S. Ramakrishnaiah could be granted 6 Months' leave with effect from 11th July 1939, the date on which he went on leave. He was compulsorily retired from service from 2nd Aug. ~~1942~~ 1939. Mr. Ramakrishnaiah had at his credit 2 Months and 8 days' privilege leave and 3 Months' Furlough or full average salary on the date of his retirement from Service.

5801

Submitted with reference to the Minute of the Secretary in para 6 of the notes.

7/1/43 At the time of his retirement, Mr. Ramakrishnaiah Rao was on privilege leave for 11 days. In addition to this, he was eligible for the following leave:—

1) 1 Months & 8 days. Privilege leave.
2) 3 " -- Furlo on full pay
3) 1 year and 6 months. Furlo on half pay.

Invd.

8/1 Law Secy.)

Submitted re para 67

Secy. Law Dept. Govt of Mysore

Office of the Minister for L. S. G. & P. H. Date 8.1.43 No 5280

7-1-43

Secy. L.S.G.

Secretary To be submitted to the Minister 19.1.43

Office of the Minister for L. S. G. & P. H. Date 30.1.43 No 5238

WD 0972—GPB—10,000—21-10-42

21-1

Minister

30/1/43

Representation of Mr L. Ramakrishna Rao

Continuation Sheet. File No. / Current No. of 1941 Page. 28

Subd with an endorsement to the party for orders

KS 2/2 B 4/2

Bring up 1/3/42

HSG 2/3

AD 4.2.43

Bring up 16/2

To-

Mr. L. Rama Krishna Rao

No Fl 4337 dated 8-2-43

States that govt see no grounds to reconsider the orders passed in the matter of grant of pension to him

B 18/2

GEN. & REV. SECTT
13 APR 1942
GEN. MIS. BRANCH.

OFFICE OF THE DEWAN
OF MYSORE.
INTERIM PETITION.
Date of receipt 11.4.42
Petn: Regr. No. 212

To

The Dewan of Mysore,

Bangalore.

Respected Sir,

I joined service in the Mysore Medical Department in the year 1916 as a Sub-Assistant Surgeon. After working in various hospitals in the State, I rose to the position of a Surgeon in the year 1938. I was Superintendent of the Medical Stores from 15-5-37 to 2-8-39.

In connection with the shortage of quinine that occured in the Stores, it was ordered in G.O.No.288-89 C.B.25-39-1 dated 2-8-39 that I should be compulsorily retired from service and that a sum of Rs.9020-1-0, being the value of quinine that was reported to be lost in the Stores when I was Superintendent of the Stores, should be recovered from me. I had completed 23 years of service and had four years of service before me when I was ordered to be retired. In addition to the orders of my retirement and the recovery of a sum of over Rs.9000/-, the leave that I had earned and was at my credit when I was ordered to be retired has been refused to be given to me.

I wish to impress upon you the extreme severity of these punishments, namely, recovery of loss, compulsory retirement and forfeiture of leave earned. These punishments have been inflicted on me at the fag end of a long and loyal service. The financial loss I am put to on account of these punishments is to the tune of Rs.30,000/-.

I venture to submit that there is no justification

for

for punishing me so severely. I may be permitted to make my representations with regard to each punishment.

First, as regards the recovery of a sum of Rs.9020-1-0 from me, the reason given in the G.O. mentioned in para 2 above for ordering this recovery from me is that during the time when I was Superintendent of the Medical Stores a quantity of 533 pounds and 12 ounces of quinine was lost. I have been made solely responsible for this loss on the ground that according to the Medical Code the Superintendent is solely responsible for the safe custody and for the correct receipt and issue of all the medicines and other articles in the Stores. The Medical Code was compiled in 1922. Subsequent to that, the post of a stock holder for the Stores was created. The stock holder was drawing a salary of Rs.125/- and had given a cash security of Rs.5000/- The Medical Code does not seem to have been revised after the appointment of a stock holder. According to para 2 of the G.O mentioned in para 2 above, the shortage of quinine has been covered by making false entries in the books, casting wrong totals, charging quantities in excess of issue, charging twice for the same issue etc. It does not appear just to let go the stock holder and other officials who were directly responsible for these irregularities and to hold only the Superintendent, who is charged only with laxity in supervision, responsible for the entire loss.

Para 5 of the G.O mentioned in para 2 above refers to "wholesale failure of successive Superintendents to follow the procedure" laid down for the work in the Stores. This leads me to infer that the case of all the Superintendents has been judged as a whole and that my case has not been examined independently to see how far I failed to follow the prescribed procedure. If an opportunity were given to me, I could show how the 'wholesale failure of successive Superintendents to follow the prescribed

xprocedure"

procedure" does not apply to me. I may be permitted to mention here briefly what work I did in the Stores.

Soon after I assumed charge of the Stores, I set myself to the task of putting the office into order. I studied the previous audit reports and took action to rectify the defects noticed. As a result of my check, scrutiny and vigilance, I showed within one year after assuming charge, a savings of about Rs.5000/ in the cost of 'Carriage of Medicines' and contingencies alone. I have also shown substantial savings of not less than Rs.15,000/- under several other items by vigilance and economy. I saw to the maintenance of the several registers according to rules. I took effective steps to collect the outstandings due to Government. An authorised rate list of articles supplied by the Stores to other Departments was prepared for the first time by me. I submitted the stock verification reports regularly according to standing orders of Government. I had to do all this with an incompetent and inadequate staff which was not changed or enlarged although several Superintendents repeatedly asked for it. While the work of the Stores increased enormously year after year with the growth of the Medical, Sanitary, Veterinary, Public Works, Electrical, Railways and Industrial Department and also the activity of the Red Cross Society, the staff of the Medical stores remained what it was 15 years ago.

I have not betrayed lack of responsibility in respect of Government property entrusted to me. I have verified stock according to Departmental orders and submitted stock verification reports. It was only on one occasion, that is immediately after the stores were shifted to the new premises, that I could not check the stock. I had fixed responsibility for the safe and correct transport of stock on the stock holder. It has turned out that on the day of transport there was a large shortage of quinine sulphate.

I

I did not verify the stock immediately after the stores were shifted to the new premises for the following reasons:-

(i) The stores were shifted to the new premises in October and November 1937. As these are unhealthy months, when there is an outbreak of plague, influenza, Pneumonia and Malaria, there was a heavy rush of special indents, in addition to the monthly indents, for medicines. These had to be urgently attended to.

(ii) There was to have been an independent verification of stock by a medical officer in December 1937 conjointly with the annual inspection of the stores.

(iii) I had checked the stock in the latter part of June 1937.

I pray that my case may kindly be ordered to be examined independently of the case of the other Superintendents, and the responsibility for the loss apportioned between me and the other members of the staff.

I now come to the second punishment, namely, the order of compulsory retirement. Para 15 of the G.O mentioned above says that the Senior Surgeon considers that I was too slack and inefficient for the Department and that Government therefore direct that I should be compulsorily retired from service. I feel that justice has not been done to me in ordering my retirement on the basis of a single report of one Senior Surgeon. I may be permitted to point out that inefficiency or slackness has not been hinted to me even once before. If increments and promotions are given for approved service, I can claim to have put in an approved service.of 23 years, because, all through this long period, I earned my increments and promotions regularly. I have always worked hard and conscientiously. These facts may be verified from my work in the hospitals in Birur,

Tarikere,

Tarikere, Bhadravathi, Chikkaballapur, and Tumkur, and in the Ayurvedic College in Mysore and even in the Medical Store I pray that the records of my service in all these places and the confidential reports of the several Medical Officers and Senior Surgeons under whom I have worked may kindly be looked into and that I may not be condemned as being slack and inefficient on the report of one Officer and with referen to the happenings in one institution. The major portion of the service was ~~d~~ spent in hospitals and I was new to work of the kind that had to be done in the Medical Stores. I worked in the Stores to the best of my ability and experience Compulsory retirement is too severe a punishment and out of all proportion to the loss for which I am held responsible and which I am asked to make good.

If I had been given all the leave I had at my credit when I was ordered to be retired from service, I would become entitled to draw full pension. Even this was denied to me. In reply to my application for leave, I was informed in the Senior Surgeon's memo No.C.3656-15 dated 24-8-1939 that leave could not be sanctioned to me as my retirement was ordered as a punishment. I submit that the refusal to grant me the leave that I had earned is extremely unjust and has caused me added hardship. In response to my prayers for reconsideration of their orders, Government were pleased to order in G.O.No. F.7281-82/S.& A.458-40-2 dated 24-4-41 that as against a qualifying service of 23 years, 5 months and 23 day I may be granted a pension admissible on a net qualifying service of 24 years. I submit that this concession results in very little benefit to me in respect of pension. I pray that pending consideration of my other representations, the leave I had at my credit may kindly be sanctioned to me.

Finally I may be permitted to represent that the infliction of a three fold punishment - recovery of loss, compulsory retirement and forfeiture of leave - is extremely

unjust

unjust and opposed to accepted principles of punishing public servants. I beg to invite your kind reference to G.O. No. Fl.1078-1128 G.F. 46-29-1 dated 12/14th August 1929, laying down general principles for the enforcement of personal responsibility of officers for losses. In this G.O it is laid down that an officer's errors of judgment involving financial loss may be deserving of consideration if he can show that he has done his best upto the limits of his ability and experience. In my representations made above, I have indicated that I have done my best upto the limits of my ability and experience. If an opportunity is given to me, I shall show in detail what work I did in the stores. In the same G.O it is further laid down that if loss has occured through fraud, every endeavour should be made to recover the whole amount lost from guilty persons, and if laxity of supervision has facilitated the fraud the supervising officer at fault may properly be penalised either directly by requiring him to make good in money a sufficient proportion of the loss, or indirectly by reduction or stoppage of his increments of pay. What is attributed to me is not fraud, but laxity of supervision. The punishment indicated for laxity of supervision in this G.O is either recovery of a proportionate portion of the loss, or reduction or stoppage of increments of pay. But I have been ordered to be punished with recovery of the entire loss and compulsory retirement and forfeiture of leave. I leave it to you to judge whether the punishments inflicted on me are just. In this connection I may also be permitted to point out that in a case which involved financial loss to the Government in the Electrical Department it was ordered in G.O.1839-41 dated 27-2-1941 that only 20 percent of the loss should be recovered from one of the Officers and 10 percent from the Head Accountant. In my case the entire loss is ordered to be borne by me.

You have, Sir, some personal knowledge of my character and work. I leave my case entirely in your hands with the hope that as the head of the administration of the State, you will cause justice to be done in a case where injustice and undeserved hardships have been meted out to an Officer who has served loyally and conscientiously to the best of his ability for a long period of 23 years.

I beg to remain,
Respected Sir,
Your most obedient servant,

L. Ramakrishna Rao

Bangalore,
20-3-1942.

Surgeon (Retired)
Visveswarapuram,
Bangalore City.

G. R. S. App. F VI—G 2]

8

SUBJECT .....

.....

..... In Copies

Diary No. of letter replied to .....

Section. SHA

File No. 182-42

Serial No. 2

General and Revenue Secretariat

( )

the . *193* .

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue ..2-1-43.....1942

Read— G.O. No. FL 4430-1/SJA 358-39-2 dt 13-1-40 sanctioning the payment of a compassionate pension of Rs 147-10 to Rtn L. Rama Krishna Rao, retired Surgeon.

2) G.O. No. FL 7281-82/SJA 458-40-2 dt 25-4-41 directing that Rtn L. Rama-Krishna Rao be granted the pension admissible for a net qualifying service of 24 years, a deficiency of 6 months and 7 days in his service being condoned under Article 272 of the F.S.R.

Signed by .....

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

3) G.O. No 3H 5134-35/SGA

458-40-4 d 31-5-41 sanctioning

a pension of Rs. 153-7-0 p.m.,

admissible for a qualifying service of 24 years,

~~with effect from 2-8-1939~~ to Mr. L.

Ramakrishna Rao, retired

Surgeon, with effect from 2-8-1939.

Further

4) Representation dated

11-4-1942 from Mr L. Ramakrishna

Rao retired Surgeon, ~~requesting~~

~~that the orders~~ ~~passed~~ ~~regarding his~~

~~in the~~ compulsory retirement

~~from~~ service ~~may be~~

reconsidered.

~~Govt~~ No 3H 2857-8/584.

~~Govt, while~~

affirming ~~that the punishments~~

meted out to Mr L. Ramakrishna

Rao and other officials

responsible for the loss in the

Medical Stores are not severe

and that the contentions made

by Mr L. Ramakrishna Rao

in his representation are ~~not tenable~~

~~and tenable, are, however~~

unavailable, are, however, pleased

to direct

List of Enclosure

On a further consideration of all the circumstances of the case, Govt are pleased to

Copied by

Examined by

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

to direct that, as a special case Mr L. Ramakrishna Rao ~~of grade, the retired officer~~ retired Surgeon, be granted an arbitrary pension of Rs 191-13-0 p.m. (Rs one hundred & ninety one & annas thirteen only) equal to the amount ~~which would have been~~ admissible ~~to him~~ for 25 ~~years~~ qualifying service. with effect from 22.9.42.

2. The other requests of the ~~the~~ officer cannot be ~~complied~~ granted.

30.10.42

GPB

H Secy to Govt

To

No H 2859/DI 2/11/1942

The Comptroller

The Senior Surgeon in Mysore.

Copy to:- Mr. L. Rama-Krishna Rao L.J.M.S Surgeon (Retd) III Cross Road Basavangudi

KS 6/10

WD 0282—GPB— 22,500—14-3-38

Jan 42

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

abd

Read -

Government Order No.Fl.4430-1/S&A 358-39-2 dated 13th January 1940 sanctioning the payment of a compassionate pension of Rs.147-1-0 to Mr.L.Ramkrishna Rao, retired surgeon.

2. Government Order No.Fl.7281-82/S&A 458-40-2 dated 25th April 1941 directing that Mr.L.Ramakrishna Rao be granted the pension admissibl for a not qualifying service of 24 years a deficiency of 9 months and 7 days in his service being condoned under Article 272 of the Mysore Service Regulations.

3. Government Order No.Fl.8134-35/S&A 458-40-4 dated 31st May 194 sanctioning a pension of Rs.153-7-0 per mensem admissible for a qualifyin service of 24 years to Mr.L.Ramakrishna Rao, retired Surgeon with effect from 2nd August 1939.

4. Further representation dated 11th April 1942 from Mr.L.Rama-krishna Rao, retired Surgeon.

ORDER No. Fl 2857-8/S&A 182-42-2

Dated, Bangalore, 22nd ~~October~~ 1942.

On a further consideration of all the circumstances of the case, Government are pleased to ~~xx~~ direct that as a special case Mr.L.Rama-krishna Rao, retired Surgeon be ~~gixxx~~ granted an arbitrary pension of Rs.191-13-0 per mensem (Rs. One hundred and ninety one and annas thirteen only) equal to the amount admissible for 25 years qualifying service with effect from 22nd September 1942.

2. The other requests of the officer cannot be granted.

for Financial Secretary to Government.

To

The Comptroller to Government,
The Senior Surgeon with the Govt. of Mysore.

SJA 18-2-42-3

To

The Dewan of Mysore,

Bangalore.

OFFICE OF THE DEWAN
OF MYSORE.
INTERVIEW PETITION.
Date of receipt 27.11.42
Petn: Regr. No 39

SECY. LAW DEPT.
GOVT OF MYSORE

Respected Sir,

In reply to my representation submitted to you on 11-4-42, I have received from the Financial Secretary to Government a copy of G.O No.Fl 2857-8/S.& A. 82-42-2 dated 2-11-42 directing that an arbitrary pension of rupees 191-13-0 per month equal to the amount admissible for 25 years qualifying service be granted to me. I am grateful to you and to the Government for giving me the benefit of an enhanced pension. But I beg to point out that the enhanced pension has been ordered to be given with effect from 22nd September 1942, while I have been ordered to be retired from service with effect from 2nd August 1939. The direction that the enhanced pension be given from a date more than three years after my retirement hits me very hard.

2) In this connection I may be permitted to invite your kind attention to the fact that in response to a previous representation of mine, my pension which was originally fixed at 147-1-0 was ordered in G.O. No. Fl.8134-35 S.& A 458-40-4 dated 31st May 1941 to be enhanced to Rs.153-7-0 and the enhanced pension was ordered to be sanctioned with effect from the date of retirement, viz, 2nd August 1939 But the enhancement now sanctioned is ordered to be granted from a date three years subsequer to my retirement.

(13)

3) The punishments given to me are very severe I have been ordered to make good a loss of over Rs.9000. I am retired from service four years before superannuation. Even the leave that was at my credit has been refused to be given to me. Government have now been pleased to grant me an enhanced pension, but the real benefit of the enhanced pension is severely curtailed as it is not sanctioned with effect from the date of retirement. There are many instances in which enhanced pension has been granted with effect from the date of retirement (A) As submitted above, in my own case, a small enhancement in pension was ordered to be given with effect from the date of retirement.

4) I request you to be graciously pleased to order that the pension sanctioned to me in G.O. No. Fl.2857-8/S.& A. 182-42-2 dated the 2nd November 1942 be sanctioned to me with effect from the date of retirement. A copy of this order is submitted herewith.

I have the honour to be,
Sir,
Your most obedient servant,
L. Ramakrishna Rao

Bangalore,
27-11-1942.

No.29, 3rd Cross Road,
Basavangudi,
Bangalore City.

Proceedings of the Government of His Highness the Maharaja of Mysore.

READ:-

Government Order No. Fl.4430-1/S&A 358-39-2 dated 13th January 1940 sanctioning the payment of a compassionate pension of Rs.147-1-0 to Mr.L.Ramakrishna Rao retired surgeon.

2. Government Order No.Fl.7281-82/S&A 458-40-2 dated 25th April 1941 directing that Mr.L.Ramakrishna Rao be granted the pension admissible for a net qualifying service of 24 years a deficiency of 6 months and 7 days in his service being condoned under article 272 of the Mysore Service Regulations.

3. Government Order No. Fl.8134-35/S.& A 458-40-4 dated 31st May 1941 sanctioning a pension of Rs.153-7-0 per mensem admissble for a qualifying service of 24 years to Mr.L.Ramakrishna Rao retired Surgeon with effect from 2nd August 1939.

4. Further representation dated 11th April 1942 from Mr. L.Ramakrishna Rao, retired Surgeon.

Order No. F.L. 2875-8/S.& A. 182-42-2

Dated Bangalore 2nd Novr. 42.

On a further consideration of all the circumstances of the case Government are pleased to direct that as a special case Mr. L.Ramakrishna Rao, retired Surgeon be granted an arbitrary pension of Rs.191-13-0 per mensem (Rs.one hundred and ninetyone and annas thirteen only) equal to the amount admissible for 25 years qualifying service with effect from 22nd September 42.

2. The other requests of the officer cannot be granted.

Sd. C.G.Ramiah,
For Financial Secretary to Government.

To

The Comptroller to Government,
The Senior Surgeon with the Govt. of Mysore.
No.2859/- Copy to Mr. L.Ramakrishna Rao L M.& S
Retired Surgeon, Basavangudi.

True Copy. L Ramakrishna Rao

No.3094/C.B.

15

31st December 1942.

Dear Sir,

Please refer to Govt. Order No.288-89/C.B. 25-39-1 dated the 2nd August 1939 directing, inter alia, the retirement of Mr. L. Ramakrishna Rao, Surgeon from service compulsorily, I am desired to request you kindly to intimate the amount of leave that was at the credit of Mr. Ramakrishna Rao, on the date of his retirement from service. An early reply is requested.

Yours sincerely,

M. Viraraja Urs, Esqr., B.A., B.L.,
Comptroller to Government, Bangalore.

OFFICE OF THE COMPTROLLER TO THE
GOVERNMENT OF MYSORE.

D. O. No 201/GAD

Bangalore, dated 5th January 1943.

Dear Sir,

With reference to your D.O. letter No.3091/C.B. dated 31st December 1942, I write to state that Mr. L. Ramakrishna Rao, Surgeon, retired from service had at his credit on 2nd August 1939 the date from which he was compulsorily retired from service, privilege leave for 2 months and 8 days and furlough on half average salary for 2 years, 7 months and 24 days. The maximum amount of leave that can be granted at a time and the leave allowances admissible during furlou are regulated under Articles 201, 208 and 209 M.S.R. He has so far been granted furlough on full average salary fo 2 months and 3 days from the commencement of his service. He was on privilege leave from 11th July 1939 to the date of his retirement.

Yours sincerely,

S.K. Venkataramana Aiyar, Esq.,
B.A.,B.L., Assistant Secretary
to Government, Bangalore.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

SA 182-42-4

To Pr 4334 — dt 8/12/43

Mr L. Ramakrishna Rao
Surgeon (Rtd)
No 29, 3rd Cross Road
Basavangudi
Bangalore

With reference to his petition dated 27-11-42 praying that the benefit of enhanced pension sanctioned to him in G.O.Ms No 2857-8/SA1 182-42-2 dt 2-11-42, be ordered to be given effect to from the date of his retirement, Mr L. Ramakrishna Rao is hereby informed that Govt see no sufficient grounds to re-consider the orders already passed in the matter

Ks
2/2/43 + file Secy

WD 03603—GPB—15,000—8-7-35